

**To:** Darwin, Henry[[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)]  
**From:** DeBell, Kevin  
**Sent:** Fri 12/22/2017 12:35:30 PM  
**Subject:** RE: FOIA Kaizen Event

Very nice message from Kevin. This is a good point of departure for getting OGC back on track.

**From:** Darwin, Henry  
**Sent:** Thursday, December 21, 2017 11:07 AM  
**To:** DeBell, Kevin <[debell.kevin@epa.gov](mailto:debell.kevin@epa.gov)>  
**Subject:** FW: FOIA Kaizen Event

**From:** Minoli, Kevin  
**Sent:** Wednesday, December 20, 2017 1:44 PM  
**To:** Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>  
**Subject:** Re: FOIA Kaizen Event

Henry- I know this will make me sound like a total government geek, but this is probably the best Christmas gift I will get this year.

Just this week we provided formal notice to the unions and employees that the agency is proposing to move the FOIA Program from OEI to OGC. At my meeting with staff on Monday I said that I saw this as an opportunity to change the reason why people know and what they say about EPA's FOIA Program. Right now, if people outside of EPA know about our FOIA Program it is almost exclusively because of the places where we are not living up to our legal obligations. We have a chance with the reorg, an influx of new staff, and the LMS to change that to future where people know about our program because we lead the way in timely FOIA responses and have eliminated our historic backlog.

The biggest hurdle I have to clear in order to enroll people in that vision is the fact that the current FOIA process breaks down whenever it involves the AO. There is no discernible, repeatable process to clear AO FOIA requests or awareness reviews at the moment, and so each

one requires us to reinvent the process. The result is a significant backup of otherwise complete responses in the AO. As part of the AO FOIA Centralization Pilot, my folks did a LEAN event with the AO offices this week, so we need to make sure you understand what they just did. EPA actually responded to ~300 more FOIA requests in 2017 than we did in 2016 in spite of the current situation in the AO, so we could see dramatic improvement in performance if the AO is part of the effort. Without clarity up front that the AO is going to live by the outcomes, however, I expect other participants will not fully commit to the event or outcome either. While I understand the LMS work here is broader than the AO, the bottom line for me is that if the AO is not going to be subject to the process that emerges from the event like all other offices, we will not effect meaningful change.

I would be happy to be the Executive Sponsor or to assist Matt if he wants to fill the role. In terms of timing I want to flag one issue for you. Becky Dolph, who currently runs the FOIA Expert Assistance Team (FEAT), is going to serve as the Acting Director of the National FOIA Office after the reorg is complete. She is great and will embrace this effort, **Ex. 6 - Personal Privacy**

## Ex. 6 - Personal Privacy

That's a long enough reply for now! I've landed up in **Ex. 6 - Personal Privacy** where I will be until next Tuesday. Happy to talk by phone between now and then, or I am in the office next W-F.

Thank you for selecting the FOIA process as one of these first areas of focus!

Kevin

Kevin S. Minoli  
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Office of General Counsel  
US Environmental Protection Agency  
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On Dec 20, 2017, at 9:14 AM, Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)> wrote:

Kevin:

I wanted to let you know that I am planning a process improvement event/project for FOIA that will start in late January or early February. We will be using a contractor under my direction to conduct a lean kaizen event for the FOIA process. This event will be part of a larger project to deploy all elements of the new EPA Lean Management System (ELMS) around these processes. We now have an intranet site for the ELMS:

<http://intranet.epa.gov/lean/lms/index.html>

We will need to soon work out the logistics, including the identification of the team members who will be involved in the events. I would also ask that you be the Executive Sponsor (unless Matt would prefer to do it himself). This would mean kicking off the event (5 minutes max), receiving a report out at the end of the event (about an hour), and making any policy decisions along the way. Of course, you and Matt will be welcome to be part of the events as much as you'd like, and I would be more than happy to go over the schedule of the events in advance.

If you have any objections, comments, or questions, please let me know.

Thanks,

Henry